

Strengthening Housing Stability and Increasing Opportunity for Low- Income Families in New York City



From Crisis to Opportunity
A POLICY AGENDA FOR AN EQUITABLE NYC

ROBIN HOOD



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Strengthening Housing Stability and Increasing Opportunity for Low-Income Families in New York City

New York City’s decades-long housing crises have only intensified in the wake of the pandemic and subsequent economic fallout. More than a quarter of all New Yorkers missed at least one rent payment since the onset of COVID-19,¹ and while the federal and state eviction moratoria and other relief policies have, thus far, helped prevent a massive rise in evictions and homelessness, these protections are temporary and will not affect the structural barriers to affordable, quality housing² that have impacted New Yorkers for generations.

Housing instability is a spectrum, affecting New Yorkers across income levels but disproportionately impacting and harming low-income, Black, Latinx,³ Asian, and immigrant households. Those experiencing housing instability may be severely rent burdened, paying more than half of their monthly income on rent and leaving little money for other expenses, such as food, child care, transportation, and other basic needs.⁴ Others may live in unsafe or overcrowded units, or they may experience periods of homelessness, living months or even years in shelter or on the street before finding permanent housing. For households with children, this instability—particularly periods of homelessness—can create lifelong consequences, impacting health, physical and mental development, stress, and education, producing a cycle of generational housing instability and poverty.⁵

The next mayoral administration, working with the City Council, must act decisively to address the housing challenges New Yorkers currently face. To do so will require a comprehensive, ambitious, and integrated housing and homelessness plan that centers racial equity and economic justice for all New Yorkers and includes massive investments in New York City’s public housing infrastructure and the preservation and expansion of housing that is truly affordable and accessible for the city’s lowest-income residents.

1. Michael Williams, “Spotlight on: Life in New York City during COVID-19,” Robin Hood, February 2021, https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT24.pdf.

2. The authors of this section define “affordability” to mean housing that costs less than 30 percent of a household’s monthly income. By “quality housing,” the authors mean housing that poses no threats to occupants safety or health, with adequate air quality and space per individual, without the presence of mold, asbestos, or lead.

3. The sources consulted for From Crisis to Opportunity: A Policy Agenda for an Equitable NYC used a variety of terms in collecting data about ethnic identity, such as Hispanic, Latino, Latinx, or Spanish origin. Some of the sources collected data using only one of these terms and reported their results under one term, while others collected data using several of the terms, but reported their data using only one term. This project uses Latinx universally in referring to the identities expressed in these data sets.

4. “The Rent Eats First: Using Residual Income to Measure Rental Affordability,” virtual forum, Harvard Joint Center for Housing Studies, October 16, 2020, <https://www.jchs.harvard.edu/calendar/rent-eats-first-using-residual-income-measure-rental-affordability>.

5. McLean, Diane, Shawn Bowen, Karen Drezner, et al, “Asthma Among Homeless Children: Undercounting and Undertreating the Underserved,” Arch Pediatr Adolesc Med, March 2004, <https://jamanetwork.com/journals/jamapediatrics/fullarticle/485640>. Brown, Scott R., Marybeth Shinn, and Jill Khaddur, “Well-being of Young Children after Experiencing Homelessness,” Homeless Families Research Brief, January 2017, https://www.acf.hhs.gov/sites/default/files/documents/opre/opre_homefam_brief3_hhs_children_02_24_2017_b508.pdf. Sandel, Megan, Richard Sheward, and Lisa Sturtevant, “Compounding Stress: The Timing and Duration Effects of Homelessness on Children’s Health,” Insights from Housing Policy Research, June 2015, https://childrenshealthwatch.org/wp-content/uploads/Compounding-Stress_2015.pdf. “Not Reaching the Door: Homeless Students Face Many Hurdles on the Way to School,” New York City Independent Budget Office, October 2016, <https://ibo.nyc.ny.us/iboreports/not-reaching-the-door-homeless-students-face-many-hurdles-on-the-way-to-school.pdf>.

In this section, we focus on specific elements of New York City’s housing crises and solutions that relate to the city’s lowest-income households with children, for whom the consequences of housing instability can last a lifetime and where investments today will have not only immediate impact but also reduce trauma and instability later in life. Robin Hood’s Poverty Tracker data show that more than a fifth of New Yorkers fall into poverty after having a child—but among New Yorkers without a college degree, that number doubles to 47 percent.⁶ In fact, people are more likely to experience homelessness as an infant than at any other point in life.⁷ Children and adults in families represent over 60 percent of New York’s homeless population, and during the pandemic, the destabilizing nature of homelessness was reflected in the fact that children in shelter had by far the lowest school attendance rate of any student group.⁸ Even before the COVID-19 crisis, 62 percent of homeless students were chronically absent from school.⁹ Research shows that parents who experienced childhood homelessness are more likely to experience persistent homelessness as adults.¹⁰ By putting households with children at the center of a holistic housing and homelessness strategy, New York City can break this cycle by providing housing stability for New Yorkers in need today, while also laying the groundwork for economic mobility and opportunity for years to come.

In the remainder of this section, we present recommendations that would increase housing stability and affordability for low-income households with children by preventing and mitigating the consequences of both formal and informal evictions¹¹ and expanding the power of housing vouchers, the most immediate way to reduce rent burdens¹² for low-income New Yorkers and prevent family homelessness. **Specifically, the next mayor should:**

1. **Reform the One-Shot Deal program to expand takeup and avert evictions**, utilizing an existing New York City program to bridge the gap between outstanding rental arrears from pandemic-related economic distress and prior hardships and New York State’s emergency rental assistance program.
2. **Expand and fully implement New York City’s Right to Counsel program**, expanding it up to 400 percent of the Federal Poverty Line (FPL) in order to avert evictions moving forward.
3. **Expand the power of CityFHEPS (New York City’s Family Homelessness and Eviction Prevention Supplement) voucher program to promote housing stability** by injecting significant new funding into the program, reforming eligibility requirements, improving bureaucratic processes, and changing renewal requirements to avoid a benefits cliff.

6. Sophie Collyer et al., “The State of Poverty and Disadvantage in New York City,” Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia University Population Research Center, February 2020, https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT19.pdf.

7. “Family Options Study: 3-Year Impacts of Housing and Services Interventions for Homeless Families,” U.S. Department of Housing and Urban Development Office of Policy Development and Research, <https://www.huduser.gov/portal/sites/default/files/pdf/family-options-study-full-report.pdf>.

8. “Disparities in Attendance During COVID-19,” Advocates for Children, https://www.advocatesforchildren.org/sites/default/files/library/policy_brief_attendance_disparities_covid_41421.pdf?pt=1.

9. Family Homelessness Coalition, “The Facts,” <https://fhcnyc.org/the-facts/>.

10. Glendening, Zachary, and Marybeth Shinn, “Predicting Repeated and Persistent Family Homelessness: Do Families’ Characteristics and Experiences Matter?” OPRE Report No. 2018-104, September 2018, https://www.acf.hhs.gov/sites/default/files/opre/opre_persistent_homeless_brief_10_9_18_508_compliant.pdf.

11. Informal evictions can be the result of fear of future eviction, threats or intimidation from landlords, experiences of interpersonal or domestic violence, or family/household tension. Informal evictions are a leading catalyst of shelter entries.

12. A household is rent burdened if it pays more than 30 percent of monthly income on rent or housing costs.

4. Maximize the impact of housing vouchers on economic mobility and well-being by creating a housing navigator program and stamping out source-of-income discrimination.

These recommendations, targeted specifically at addressing the needs of low-income renting households with children, are only one piece of a much larger poverty-solving puzzle. They build on the work and recommendations of the United For Housing coalition, which is supported by Robin Hood and has assembled a wider-ranging set of policy priorities across new construction, stabilization, public housing, supportive housing, homelessness, and homeownership for the next mayor.¹³ In addition, Robin Hood supports the efforts of its community partners and other housing advocates, who are working tirelessly to ensure that the New York City Housing Authority (NYCHA) gets the \$40 billion needed to repair its buildings, which are home to more than 400,000 New Yorkers, and that NYCHA residents' perspectives and concerns are included and valued during all decision-making processes that provide greater funding or reforms NYCHA's operations.

Beyond the immediate steps that the next mayoral administration must take, outlined in this section and in United For Housing's agenda, the next mayor should seize this moment of crisis as an opportunity to explore housing policy solutions outside of New York's and the United States' traditional policy landscape. While this section and United For Housing's recommendations provide a "floor" of the necessary investments to provide housing stability, affordability, and opportunity, they should not be taken as a "ceiling" of what's possible. Implementing ambitious citywide policies, such as an affordable housing overlay, cooperative ownership and social housing models, legalizing basement apartments and other accessory dwelling units, and ending apartment bans and parking minimums—among many other new proposals—should all be under consideration as the next administration assesses how to create an equitable housing system.

Goals

By immediately implementing the policies recommended in this section, the next administration can position New York City to dramatically increase the number of New Yorkers in affordable, quality housing—especially for households with children. **Working from this goal, the next mayoral administration should aim to, by the end of its first term:**

- bring family homelessness to Functional Zero, meaning homelessness for families is rare, and when it does occur, emergency accommodation and housing placement needs are met swiftly;
- eliminate both formal and informal eviction-driven homelessness;
- cut the average length of a shelter stay in at least half (from more than 440 days to 220 days); and
- expand CityFHEPS voucher eligibility to thousands more households to promote housing stability and reduce rent burdens to a maximum of 30 percent of income.

Background and Need

New York City's compounding housing crises have reached a breaking point, resulting from stagnating wages and a legacy of housing discrimination, redlining, and the systemic destruction of, and disinvestment in, communities where New Yorkers of color have lived for decades.

13. "From the Ground Up: Affordable housing recommendations for New York City's next Mayor," United For Housing, December 10, 2020, <https://u4housing.thenyh.org/report/>.

New York City consistently ranks at the top of the most expensive cities in the country, and the affordability crisis is even more severe for low-income New Yorkers and Black, Latinx, Asian, and immigrant households.¹⁴ Even the city's \$15 minimum wage has not been enough to curb housing hardship, as housing costs have outpaced wages.¹⁵ For many New Yorkers, this lack of affordable housing leads to inability to pay, eviction, overcrowding, and often homelessness.

Even before the pandemic, the consequences of housing instability were dire, threatening individuals' and families' safety, security, economic mobility prospects, and health.¹⁶ Many studies have linked eviction to an increased incidence of adverse birth outcomes, including low birth weight, prematurity, and infant mortality, in addition to mental and physical health issues later in life.¹⁷ Robin Hood's Poverty Tracker data show that following an eviction, New Yorkers who are able to find housing elsewhere end up in neighborhoods with higher rates of poverty and less economic opportunity than those they lived in prior to moving. Twenty-six percent of households that are evicted relocate to high-poverty neighborhoods (that is, with a poverty rate above 30 percent), but before the move, only 10 percent of these households lived in high-poverty neighborhoods. This shows that evictions play a key role in concentrating poverty in New York City.¹⁸

For many New Yorkers, the lack of affordable housing and subsequent formal and informal evictions pushes them on a path to homelessness—one that is incredibly difficult to escape. While domestic violence, eviction, and overcrowding are the leading drivers of homelessness, the reality for many New Yorkers, especially families experiencing homelessness, is that housing instability usually involves several compounding factors, exacerbated by public policy failures.¹⁹ Although not the main focus of this section, the next mayor must also take immediate and specific steps to ensure that people experiencing interpersonal and domestic violence have access to the health, counseling, community, and legal resources that can help them retain or gain safe and stable housing, including by maintaining and expanding the city's Family Justice Centers, which connect victims and survivors of domestic and gender-based violence to confidential assistance and supports.

Over the past decade, the number of adults, families, and children in shelter reached all-time highs.²⁰ In 2020, even amid the expanded eviction protections and financial assistance provided by the government throughout the pandemic, more than 55,000 New Yorkers slept in shelter on any given night, including an average of more than 20,000 children.²¹ Last year, more than 129,000 different people spent at least one night in shelter,

14. "10 Most Expensive Cities in the U.S.," Bungalow, <https://bungalow.com/articles/10-most-expensive-cities-in-the-u-s>.

15. "Out of Reach 2021," National Low Income Housing Coalition, https://nlihc.org/sites/default/files/oor/2021/Out-of-Reach_2021

16. Himmelstein, Gracie and Matthew Desmond, "Eviction And Health: A Vicious Cycle Exacerbated by a Pandemic," *Health Affairs*, April 1, 2021, <https://www.healthaffairs.org/doi/10.1377/hlthaff.20210315.747908/full>; Sophie Collyer and Lily Bushman-Copp, "Spotlight on Forced Moves and Eviction in New York City," Robin Hood, May 2019, https://www.robinhood.org/uploads/2019/08/HOUSING-REPORT_8.5.pdf.

17. Khadka, Aayush, Günther Fink, Ashley Gromis, and Margaret McConnell, "In utero exposure to threat of evictions and preterm birth: Evidence from the United States," *Health Services Research*, September 25, 2020, <https://onlinelibrary.wiley.com/doi/full/10.1111/1475-6773.13551>.

18. Sophie Collyer and Lily Bushman-Copp, "Spotlight on Forced Moves and Eviction in New York City," Robin Hood, May 2019, https://www.robinhood.org/uploads/2019/08/HOUSING-REPORT_8.5.pdf.

19. Routhier, Giselle, "Family Homelessness in NYC," Coalition for the Homeless, January 2017, https://www.coalitionforthehomeless.org/wp-content/uploads/2017/01/Family-Homelessness-1-2017_FINAL.pdf.

20. A series of court cases, beginning with Callahan v. Carey in 1979, paved the way for the "right to shelter" in New York, which is in part why New York has such a large shelter population and corresponding City infrastructure. See "The Callahan Legacy: Callahan v. Carey and the Legal Right to Shelter," Coalition for the Homeless, <https://www.coalitionforthehomeless.org/our-programs/advocacy/legal-victories/the-callahan-legacy-callahan-v-carey-and-the-legal-right-to-shelter/>.

21. Data via the New York City Department of Homeless Services's daily shelter census.

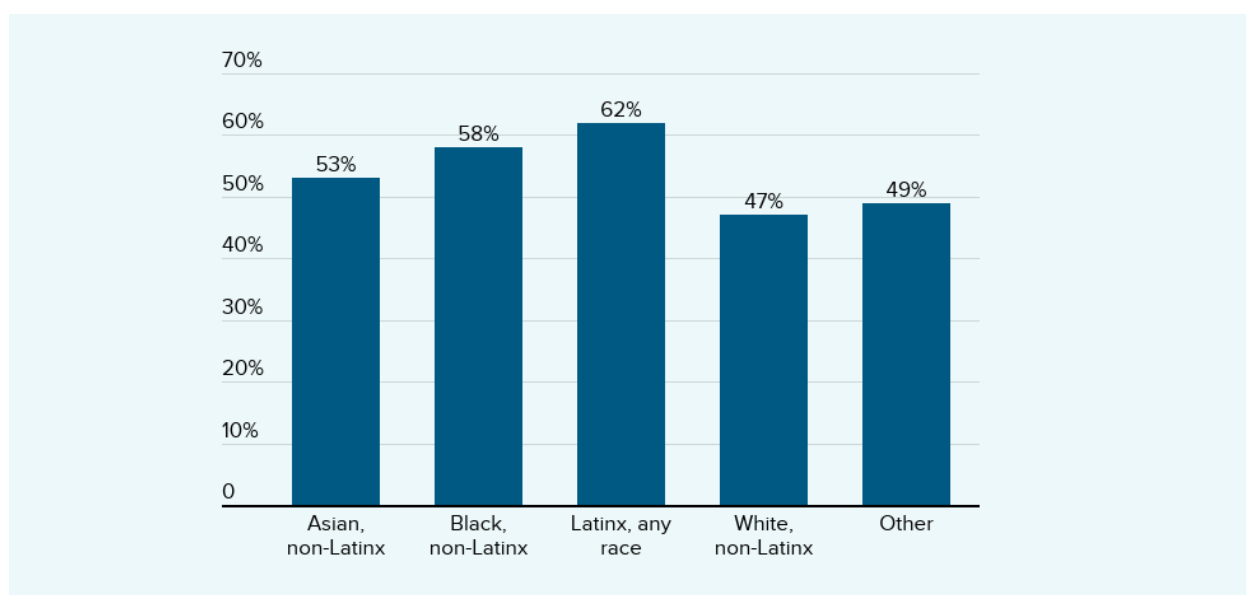
22. "Mayor's Management Report: Fiscal 2020," City of New York, September 2020; see "Department of Homeless Services; Service 2: Coordinate and/or provide support services to help individuals and families who are homeless exit shelter as quickly as possible," 199, https://www1.nyc.gov/assets/operations/downloads/pdf/mmr2020/2020_mmr.pdf.

including nearly 40,000 children, and the average stay in shelter was 443 days.²² Thousands more slept on city streets or doubled up in overcrowded units. Although family homelessness fell in 2020, experts strongly caution that this drop is temporary, due mostly to the eviction moratoria in place throughout the pandemic.²³

Before the pandemic, Advocates for Children reported that more than 110,000 public school children experienced homelessness each year, defined as “living in homeless shelters; sharing the housing of others due to loss of housing or economic hardship; or lacking a fixed, regular and adequate nighttime residence.”²⁴ Research shows that before the pandemic, two-thirds of children who lived in the New York City shelter system were chronically absent from school.²⁵ These hardships have only intensified since COVID-19, as those in shelter were put at a greater risk of contracting the virus and students in shelter faced enormous barriers to virtual learning, including lack of Internet access and low attendance rates.²⁶ These and other hardships have long-term effects.²⁷

But eviction, homelessness, and housing instability do not affect all New Yorkers equally. Nearly 90 percent of those living in the shelter system are Black or Latinx,²⁸ and low-income Black and Latinx New Yorkers are

FIGURE 1. PERCENTAGE OF NEW YORK CITY FAMILIES RENT-BURDENED, BY RACE



Source: NYU Furman Center analysis of New York City Housing and Vacancy Survey (NYCHVS) data.

23. Tyler Kendall, “Why New York City’s homeless rates skyrocketed for single adults but dropped for families during the pandemic,” CBS News, April 29, 2021, <https://www.cbsnews.com/news/homeless-new-york-city-adults-families-covid-pandemic/>.

24. “New Data Show Number of NYC Students Who Are Homeless Topped 100,000 for Fifth Consecutive Year,” Advocates for Children, December 3, 2020, <https://www.advocatesforchildren.org/node/1675>.

25. “Not Reaching the Door: Homeless Students Face Many Hurdles on the Way to School,” New York City Independent Budget Office, October 2016, <https://ibo.nyc.ny.us/iboreports/not-reaching-the-door-homeless-students-face-many-hurdles-on-the-way-to-school.pdf>.

26. Barbara Golderbg, “New York sued over homeless shelters’ Internet gap for remote school,” Reuters, November 24, 2020, <https://www.reuters.com/article/health-coronavirus-new-york-education/new-york-sued-over-homeless-shelters-internet-gap-for-remote-school-idUSKBN2842LY>; “Disparities in Attendance During COVID-19,” Advocates for Children, April 2021, https://www.advocatesforchildren.org/sites/default/files/library/policy_brief_attendance_disparities_covid_41421.pdf?pt=1.

27. Travis P. Baggett and Jessie M Gaeta, “COVID-19 and homelessness: when crises intersect,” The Lancet Public Health, February 5, 2021, [https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667\(21\)00022-0/fulltext#articleInformation](https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667(21)00022-0/fulltext#articleInformation).

28. Fiscal Year 2020 Department of Homeless Services Data Dashboard Tables, accessed June 10, 2021, <https://www1.nyc.gov/assets/dhs/downloads/pdf/dashboard/tables/FY20-DHS-Data-Dashboard-Data.pdf>.

disproportionately more likely to be rent-burdened (defined as paying at least 30 percent of their income towards rent)—58 percent and 62 percent, respectively; see Figure 1.²⁹ The racial disparities in which New Yorkers experience severe rent burden (over 50 percent of income) are even worse. New York City is also among the most racially segregated cities in the United States, with both Black–white and Latinx–white segregation ranking second amongst the nation’s fifty-one most populous metropolitan areas.³⁰ Among the city’s nearly 400,000 public housing residents, more than 90 percent are Black or Latinx, and while federal Housing Choice Vouchers prevent voucher holders from paying more than 30 percent of their income on rent, the thousands of housing units these families occupy are in desperate need of repairs, and there are not nearly enough vouchers to meet the need for affordable housing.³¹

New York City’s housing issues have only intensified in the past year, as New Yorkers lost income and faced even greater difficulty paying rent. According to Robin Hood’s Poverty Tracker,³² 26 percent of all renters in New York City have been unable to pay at least one rent bill since the pandemic broke out, and nearly a third of those experiencing or near experiencing poverty³³ have been unable to make at least one payment. This hardship is exacerbated along lines of race and immigration: 33 percent of Latinx renters, 30 percent of Black renters, and 33 percent of renters born in another country missed at least one payment.

Although New York State enacted an eviction moratorium in March 2020, strengthened most recently in May,³⁴ some New Yorkers have already gone through traumatic evictions, and a wave of eviction filings is likely to hit the city’s housing courts when the moratorium is lifted, even with the state’s recently-passed COVID-19 Emergency Rental Assistance Program.³⁵ This new program, funded in large part by federal dollars, is currently being implemented by the Office of Temporary and Disability Assistance. The program, which opened for applications on June 1, is the primary vehicle to help New Yorkers pay rent arrears and stay in their homes by providing arrear payments directly to landlords. However, applicants immediately had trouble submitting the required information, and the payments, which cover up to twelve months of back rent and three months moving forward, will do little to affect future rent burdens and ability to meet monthly housing costs, problems which existed long before the pandemic. Though the funding and structure of the program are out of the city’s direct control, city-level policymakers and advocates will be key to the program’s success as it accepts applications and disburses aid, including conducting robust outreach to households and communities in need, regardless of language spoken, immigration status, or digital literacy. In this vein, the city’s FY22 budget includes \$27.7 million to support the emergency rental assistance program;

29. NYU Furman Center analysis of New York City Housing and Vacancy Survey (NYCHVS) data.

30. William H. Frey, “Neighborhood segregation persists for Black, Latino or Hispanic, and Asian Americans,” Brookings Institution, April 6, 2021, <https://www.brookings.edu/research/neighborhood-segregation-persists-for-black-latino-or-hispanic-and-asian-americans/>.

31. “Housing Choice Voucher Program Demographics Report,” New York City Housing Authority, July 5, 2016, <https://www1.nyc.gov/assets/nycha/downloads/pdf/demographics-report.pdf>.

32. Michael Williams, “Spotlight on: Life in New York City during COVID-19,” Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia University Population Research Center, February 2021, https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT24.pdf.

33. Defined as at or below 200 percent of the Federal Poverty Level.

34. Senate Bill S6362A, “Extends the ‘COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020’ and the ‘COVID-19 Emergency Protect Our Small Businesses Act of 2021’ until August 31, 2021,” New York State Senate, <https://www.nysenate.gov/legislation/bills/2021/s6362>.

35. “Governor Cuomo Signs The ‘New York State on Pause’ Executive Order,” Governor’s Press Office, March 20, 2020, <https://www.governor.ny.gov/news/video-audio-photos-rush-transcript-governor-cuomo-signs-new-york-state-pause-executive-order>. Chung, Christine, “Eviction Moratorium Exception: Nearly 100 Basement Apartments Hit With Vacate Orders During Pandemic,” The City, November 29, 2020, <https://www.thecity.nyc.gov/housing/2020/11/29/21725755/eviction-moratorium-exception-basement-apartments>.

36. New York City June 2021 Adopted Budget, Fiscal Year 2022, Budget Function Analysis, <https://www1.nyc.gov/assets/omb/downloads/pdf/adopt21-bfa.pdf>.

more will surely be needed from the next mayor once initial rounds of relief have been disbursed.³⁶

Even with the emergency rent relief currently available, hundreds of thousands of New Yorkers will struggle to afford rent for years to come—as many did for decades before the pandemic. Fortunately, policymakers already know how to help families afford housing: provide them with long-term housing vouchers.

Vouchers reduce homelessness, housing instability, and overcrowding.³⁷ Research shows that Housing Choice Vouchers (also known as Section 8), the country’s largest mechanism for providing long-term rental assistance, reduce the poverty rate for those housed through the program by 43 percent and provide long-term benefits to households that were previously homeless.³⁸ In New York City, vouchers also have a stabilizing effect: only 1 percent of families that exit shelter with rental assistance return to shelter, compared to 20 percent without rental assistance.³⁹ However, despite their effectiveness, only one in four households that are eligible for Housing Choice Vouchers nationally are able to use them.

In New York City, roughly 128,000 households receive Section 8 vouchers, managed by NYCHA and the New York City Department of Housing Preservation and Development (in addition to residents of public housing), but hundreds of thousands of New Yorkers remain on voucher waiting lists (176,646 families are on the waiting list for public housing; 138,253 families are on the waiting list for Section 8; and 6,968 applicants are on both waiting lists).⁴⁰ That number will only grow since the application to join the voucher waitlist was reopened in May 2021 for the first time since 2006.

In addition to Housing Choice Vouchers, New York City has created local voucher and emergency assistance programs to meet the enormous demand for rental assistance, prevent evictions, and reduce homelessness, namely CityFHEPS, the city’s main rental assistance program for New Yorkers experiencing homelessness; Special One-Time Assistance (SOTA), which provides eligible Department of Homeless Shelter residents with one year of rental assistance; and the One-Shot Deal program, which provides emergency assistance to meet an urgent need of low-income New Yorkers, most commonly rental assistance to prevent evictions. New York State also provides a rent supplement through FHEPS (Family Homelessness and Eviction Prevention Supplement), for families who receive Cash Assistance and have been evicted or are facing eviction, who lost their housing due to a domestic violence situation, or who have lost their housing because of health or safety issues.

But across CityFHEPS, SOTA, placements into NYCHA, and a few other smaller programs that help New Yorkers move out of homelessness and into housing, the city only placed 11,000 households into permanent housing in 2020. Of the people who were granted CityFHEPS vouchers in 2019, only roughly 20 percent were able to find apartments within twelve months of receiving their voucher, because of overcomplicated bureaucracy,

37. Will Fischer, “Research Shows Housing Vouchers Reduce Hardship and Provide Platform for Long-Term Gains Among Children,” Center on Budget and Policy Priorities, October 7, 2015, <https://www.cbpp.org/research/housing/research-shows-housing-vouchers-reduce-hardship-and-provide-platform-for-long-term>.

38. Collyer et al, “Housing Vouchers and Tax Credits: Pairing the Proposal to Transform Section 8 with Expansions to the EITC and the Child Tax Credit Could Cut the National Poverty Rate by Half,” Center on Poverty and Social Policy, October 7, 2020, <https://static1.squarespace.com/static/5743308460b5e922a25a6dc7/t/5f7dd00e12dfe51e169a7e83/1602080783936/Housing-Vouchers-Proposal-Poverty-Impacts-CPSP-2020.pdf>; Family Options Study, U.S. Department of Housing and Urban Development’s Office of Policy Development and Research, https://www.huduser.gov/portal/family_options_study.html.

39. Letter to Speaker Corey Johnson and Members of the City Council, Win, <https://winnyc.org/wp-content/uploads/2021/03/Int-146-Support-Ltr-to-Speaker-1.2021.pdf>.

40. “2020 Fact Sheet,” New York City Housing Authority, March 2020, https://www1.nyc.gov/assets/nycha/downloads/pdf/NYCHA-Fact-Sheet_2020_Final.pdf.

illegal discrimination from landlords, and inadequate housing supply, especially at the deepest affordability levels.⁴¹ Before people can even be eligible for CityFHEPS, they must remain in shelter for at least three months. In addition, because CityFHEPS is currently limited to households receiving Public Assistance, many New Yorkers—namely households and families with undocumented members—are ineligible for the program. This low conversion rate is a major driver of why the average stay in New York City shelters is so long.⁴²

The limited coverage of assistance provided through the SOTA program forces many families back into homelessness. New Yorkers who moved into housing with SOTA, which is only a temporary assistance program, are left to pay the entire amount of their rent following the first year. According to Win, the city's largest provider of shelter and supportive housing for homeless families, the implicit assumption of SOTA is that a homeless family will improve their financial situation within twelve months so as to be able to afford rent when assistance ends.⁴³ In reality, this termination of assistance and lack of comprehensive income-building services such as child care subsidies push families back into homelessness, and data show that families who left Win shelters using SOTA in 2019 were six times more likely to return to shelter than families who left with other long-term subsidies, and that families who leave shelter for unsubsidized housing return to shelter in less than a year at a rate nearly twenty times higher than families who leave with a subsidy.⁴⁴

The lack of flexible, long-term rental assistance results in thousands of people living months, if not years, in shelter and on the street before finding housing; thousands of New Yorkers cycle in and out of homelessness because they are only provided short-term assistance to move out of shelter in the first place; and hundreds of thousands of New Yorkers stay on waiting lists for federal vouchers for years, paying more than they can afford to pay in the meantime. Gaps in rental assistance coverage and structural design flaws alone lead approximately 700 families to enter shelter each month in order to qualify for rental assistance through CityFHEPS, since households are not eligible for FHEPS, the state's eviction and homeless program, unless they have been served with a formal eviction or are previously homeless.⁴⁵

Data from the NYU Furman Center show that there are more than 400,000 low-income households,⁴⁶ which are home to more than 250,000 children, who pay more than 50 percent of their income on rent each month. These are the very households for whom any economic or personal shock, from domestic violence to unexpected expenses, health issues, or even having another child, can lead to eviction or homelessness, pushing adults and children deeper into poverty and hardship for years to come, often with lifelong consequences.

Unfortunately, even families that get adequate rental assistance can still have difficulty finding housing. Source-of-income discrimination is currently so prevalent that the number of New Yorkers who are affected by it is difficult to reliably measure. The Commission on Human Rights files hundreds of source-of-income complaints

41. Kinniburgh, Colin, "Will Rental Vouchers to Prevent Homelessness Make the State Budget?" New York Focus, March 29, 2021, <https://www.nysfocus.com/2021/03/29/housing-access-voucher-program-budget/>.

42. Jacquelyn Simone, "Homeless New Yorkers Are Spending More Time in Shelters Than Ever Before," Coalition for the Homeless, March 21, 2019, <https://www.coalitionforthehomeless.org/todays-read-homeless-new-yorkers-are-spending-more-time-in-shelters-than-ever-before/>.

43. "Every Family Housed: A Blueprint to End Family Homelessness for the Next Mayor," Win, May 2021, https://winnyc.org/wp-content/uploads/2021/05/Every_Family_Housed_Final.pdf.

44. Ibid.

45. Local Law 37—DHS Report, NYC Open Data, updated May 27, 2021, <https://data.cityofnewyork.us/Social-Services/Local-Law-37-DHS-Report/2mqz-v5im>.

46. Earning less than 50 percent of Area Median Income (\$53,700 for a family of three).

each year, but that figure is a fraction of the people who are harmed by this discrimination. A matched-pair test by advocacy groups VOCAL–NY and TakeRoot Justice found that only 21 percent of people with housing subsidies heard back at all regarding apartment listings, compared to 61 percent of people with employment income; discrimination continued at each step of the application process, including invitations to view apartments, response time, and unit availability.⁴⁷ A recent lawsuit filed by Housing Rights Initiative found at least eighty-eight brokerage firms and landlords discriminated against fair housing testers posing as voucher holders.⁴⁸ Furthermore, in addition to source of income discrimination, discrimination against tenants with criminal records abounds, although exact estimates are difficult to make. In 2017, more than half (54 percent) of individuals in New York State released on parole immediately entered New York City shelters, and one matched-pair study of New York state showed that less than half of people with a criminal conviction received agreement from a landlord to view a potential unit (43 percent of those with a conviction, compared to 96 percent without).⁴⁹

Massive housing instability threatens New York City’s economic recovery from the pandemic and jeopardizes the future of the city. The remainder of this section includes recommendations that would increase housing stability and affordability for low-income households with children by:

- preventing formal and informal evictions, thereby reducing homelessness, and
- expanding the power and availability of housing vouchers, the most immediate way to rapidly re-house and reduce housing cost burdens for low-income New Yorkers.

Conditions for Success

New York City cannot craft and implement successful housing policy exclusively on its own. The city has been, and will continue to be, reliant on funding from the federal and state governments to build and preserve affordable, public, and supportive housing, in addition to its own programs and funding. The housing investments being proposed by President Biden, in Congress, and by national advocates—including increased allocations for the Housing Trust Fund, retrofitting public housing, and vastly increasing funding for Housing Choice Vouchers—would have a massive impact for New Yorkers; state investments in affordable and supportive housing and voucher programs would have a commensurate impact if increased.⁵⁰ However, New York City’s next mayor must take bold steps to prioritize immediate housing policy reform regardless of the policies and dollars that flow from other levels of government.

Policy Response

1. Reform the One-Shot Deal Program to Expand Takeup and Avert Evictions

47. “Vouchers to Nowhere: How Source of Income Discrimination Happens and the Policies That Can Fix It,” VOCAL–NY and TakeRoot Justice, accessed May 28, 2021, <https://static1.squarespace.com/static/5edbd1827536f464a00c32de/t/5f5ebbbd52f87c233c995070/1600043968206/Vouchers-To-Nowhere.pdf>.

48. Matthew Haag, “She Wants Well-Qualified People”: 88 Landlords Accused of Housing Bias,” New York Times, March 15, 2021, <https://www.nytimes.com/2021/03/15/nyregion/real-estate-lawsuit-section-8-discrimination.html>.

49. Ishita Gaur, Melissa Minnich and Heli Pinillos, “Breaking Free: Preventing the Prison-to-Shelter Pipeline,” Urban Design Forum, July 24, 2020, <https://urbandesignforum.org/proposals/breaking-free-preventing-the-prison-to-shelter-pipeline/>; Douglas N. Evans and Jeremy R. Porter, “Criminal history and landlord rental decisions: A New York quasi-experimental study,” *Journal of Experimental Criminology* 11, no. 1 (March 2014): 21–42, https://www.researchgate.net/publication/276838489_Criminal_history_and_landlord_rental_decisions_a_New_York_quasi-experimental_study.

50. For examples of proposals that would increase the federal government’s investment in housing programs, see “Key Legislation,” National Low Income Housing Coalition, May 2021, https://nlihc.org/sites/default/files/housed_Key-Legislation.pdf.

New York renters accrued millions of dollars in rent arrears due to the economic crisis triggered by the pandemic. As many as 185,000 households in rent-stabilized units currently owe arrears, per an estimate from the Community Housing Improvement Program.⁵¹ Separately, the NYU Furman Center estimates that the share of tenant households in New York City owing more than \$3,000—the typical amount owed before a landlord files for eviction—rose to 15.8 percent during the pandemic (over 300,000 households if extrapolated citywide, though the sample is predominantly affordable housing), up more than six percentage points from February 2020.⁵² The State’s COVID-19 Emergency Rental Assistance Program, funded largely by the American Rescue Plan, will help many households pay back rent accrued since the start of the pandemic, but it will not meet the full need, will do little to alleviate future rent burdens (covering only up to three months), and will not be available to all city residents.

At the city level, the One-Shot Deal (OSD) program is one of the only mechanisms under the mayor’s direct control to help New Yorkers who were unable to pay rent during the pandemic recovery. The program, administered by the Human Resources Administration (HRA) through Public Assistance, provides a one-time loan (though sometimes forgiven) available to New Yorkers who face an unexpected expense, often rental assistance to prevent eviction. The OSD program typically serves between 3,500 and 4,000 households each month, though requests have dropped significantly since March 2020, likely due to the temporary moratorium on evictions.⁵³ Unfortunately, HRA currently prioritizes OSDs based on nebulous criteria, which allows case-by-case customization, but also causes significant inefficiencies, creates confusion for applicants, leaves room for bias, and has led to a de facto requirement that a tenant must be facing an eviction to be eligible, as those cases are prioritized. **To increase the power of this program, the mayor should:**

- **Make eligibility and prioritization criteria more explicit to improve efficiency and reduce bias in awarding OSDs.** Eligibility should be determined using an affidavit of need, rather than extensive financial paperwork, to reduce barriers to access, and living expenses should be considered holistically so that accepting an OSD does not push tenants even further into poverty, especially given the exceptional nature of the economic crisis related to the pandemic.
- **Invest in public education about OSDs to ensure tenants know they are eligible without an eviction filing and that they can apply for the benefit online and through the ACCESS HRA application.** Along with training and awareness for property owners and HRA staff about this expanded eligibility, the next mayor should allow landlords to initiate the process for tenants to receive OSDs and work with them to ensure they understand the process. Property owners, especially small landlords, may also face financial viability challenges due to the economic crisis, and already have many of the required materials and information to verify eligibility.

51. Will Parker, “New York City Renters Owe More Than \$1 Billion in Unpaid Rent, Survey Finds,” Wall Street Journal, January 14, 2021, <https://www.wsj.com/articles/new-york-city-renters-owe-more-than-1-billion-in-unpaid-rent-survey-finds-11610622000>.

52. “State of New York City’s Housing and Neighborhoods in 2020: Renters and Recovery,” NYU Furman Center, May 26, 2021, <https://furmancenter.org/stateofthecity/view/renters-and-recovery>.

53. Brand, David, “Emergency Grants Can Help Stop Homelessness — if You Have a Lawyer,” City Limits, March 11, 2020, <https://citylimits.org/2020/03/11/emergency-grants-can-help-stop-homelessness-if-you-have-a-lawyer/>; Samar Khurshid, “Requests for Emergency Rent Grants Fell During Pandemic, But Expected to Skyrocket When Evictions Resume,” Gotham Gazette, July 24, 2020, <https://www.gothamgazette.com/city/9622-requests-for-emergency-rent-grants-fell-during-pandemic-but-expected-to-skyrocket-when-evictions-resume>.

- **Advocate for policy changes at the state level to waive the requirement to repay OSDs and fully eliminate the requirement that applicants demonstrate future ability to pay.** The economic shock has left many households unable to afford both future and past rent, and current documentation requirements can be an obstacle for New Yorkers in need of assistance.
- **Ensure adequate funding is available for OSDs for any household still owing arrears through their first budget, adopted by June 2022.** This funding can come from a variety of sources. In an average year, the OSD program costs about \$200 million, demonstrating the sheer amount of financial need even during more stable economic periods. Calculating the total current need is difficult, as people who would ordinarily apply for assistance are less likely to while the eviction moratorium is in place, in addition to the uncertainty regarding the amount of arrears owed citywide and how successful the state emergency rental assistance program will be in addressing those arrears. The number of requests for emergency assistance in the near future will depend significantly on the success of the state rental relief program, and the next mayor should immediately assess the remaining rent arrears in New York City when they take office.

Expected Impact

In reforming and expanding the OSD program as proposed above, a new mayoral administration should aim to:

- ensure that OSDs are available to all New York City households with such a need.

2. Expand and Fully Implement New York City's Right to Counsel Program

New York City's landmark Right to Counsel law, which provides representation to tenants facing eviction in the city's housing court, has been a critical tool to prevent evictions since it was passed in 2017. Led by the Right

86% of New Yorkers and 92% of low-income New Yorkers support expanding access to free legal services so that low-income New Yorkers from all zip codes have representation in housing court when facing evictions.

to Counsel NYC Coalition, this poverty-fighting program has helped thousands of New Yorkers remain stably housed. In 2013, only 1 percent of tenants had a lawyer in housing court, a clear power imbalance fueling evictions and pushing low-income New Yorkers into homelessness. Though it has been limited to certain neighborhoods as part of a gradual phase-in, by June 2019, 62 percent of

tenants in eligible zip codes had a lawyer.⁵⁴ Evictions in the early phase zip codes have declined by 29 percent since the law was implemented compared to a 16 percent decline in zip codes with similar eviction, poverty, and rental rates. In the first three years that the program has been available in New York City, 86 percent of tenants who had a Right to Counsel lawyer won their case and stayed in their homes.⁵⁵ The power of this policy cannot be overstated. By providing tenants with access to an attorney, thousands of households have likely avoided eviction and homelessness.

54. "Right to Counsel Works: Fact Sheet," Right to Counsel Coalition, accessed May 27, 2021, https://d3n8a8pro7vnm.cloudfront.net/righttocounselnyc/pages/23/attachments/original/1585168175/RTC_WORKS_FACT_SHEET.pdf?1585168175.

55. "Expand Right to Counsel," Right to Counsel Coalition, accessed May 27, 2021, https://www.righttocounselnyc.org/expand_rtc.

Recognizing its impact, the City Council passed Intro 2050 in 2021, which amends Local Law 136 and requires immediate implementation of Right to Counsel, making it a right for all income-eligible tenants across New York City to have an attorney, rather than a phased-in zip-code roll-out.⁵⁶ The City Council also passed Intro 1529, which requires the city to support organizers who are working to ensure that tenants know about their Right to Counsel and receive guidance for using it.⁵⁷

To ensure proper implementation, and bolster the power of this poverty-fighting policy, the next mayor must work with City Council to:

- Allocate \$5 million in the city budget toward Intro 1529 to ensure organizers have the resources they need to educate the public about their rights.
- Ensure legal service providers can accommodate expanded eligibility and provide them with funding for capacity building.
- Ensure that implementation of Intro 2050 means that no case moves forward without a Right to Counsel lawyer and that judges adjourn cases until these lawyers have capacity.
- Pass Intro 1104,⁵⁸ which would permanently expand Right to Counsel's income eligibility from 200 percent of the Federal Poverty Level to 400 percent (which is a yearly income of \$51,040 for a single adult and \$104,800 for a family of four). The current 200 percent cutoff restricts eligibility to those with yearly income of less than \$25,520 for a single adult or less than \$52,400 for a family of four. This means a single New Yorker working full-time and making the \$15 minimum wage would not qualify for Right to Counsel. Working-class tenants facing an eviction will not be able to afford a lawyer without the expansion of Right to Counsel in Intro 1104, and without representation, are more likely to be evicted. Data show that tenants with incomes between 200 and 400 percent of the Federal Poverty Line make up an estimated 31 percent of tenants in housing court.⁵⁹

Before the COVID-19 pandemic largely paused housing court proceedings in New York, funding for the program was set to increase gradually up to \$166 million each year. With the above tweaks and expansions, that cost would grow to roughly \$321 million per year: roughly \$150 million to expand eligibility up to 400 percent of the Federal Poverty Line, and \$5 million to fund organizing, outreach, and education.⁶⁰ This cost should be judged in comparison to the cost of emergency shelter each year—\$82,000 for a family or \$47,000 for a single adult—making full expansion of Right to Counsel not only a valuable service for New Yorkers at risk of eviction, but a cost saver for the city, as research shows families impacted by evictions experience longer shelter stays and more frequent emergency room visits, increasing the overall public cost by \$8,000 per eviction, compared to baseline shelter and emergency room costs.⁶¹

56. Intro 2050-2020, "Providing legal services for tenants who are subject to eviction proceedings," <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=4624861&GUID=FEF6E3D8-8BFA-4281-AABF-F36EF7A2BC40>.

57. Intro 1529-2019, "Requiring the office of the civil justice coordinator to work with community groups in educating tenants about their rights in housing court," <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3923900&GUID=93564381-0704-43F3-9599-244BA2545155>.

58. Intro 1104-2018, "Expanding the right to counsel for tenants," <https://legistar.council.nyc.gov/LegislationDetail.aspx?ID=3673428&GUID=4205F42E-82F7-4976-8BF7-035AE2B5B16D>.

59. "Expand Right to Counsel," Right to Counsel Coalition, accessed June 10, 2021, https://www.righttocounselnyc.org/expand_rtc.

60. "Right to Counsel, Power to Organize Campaign FAQ," Right to Counsel Coalition, accessed June 10, 2021, <https://d3n8a8pro7vnm.cloudfront.net/righttocounselnyc/pages/47/attachments/original/1576857798/FAQ-final.pdf?1576857798>.

61. Robert Collinson and Davin Reed, "The Effects of Evictions on Low-Income Households," October 2018, https://economics.nd.edu/assets/303258/jmp_rcollinson_1_.pdf.

Expected Impact

Fully implementing Right to Counsel citywide for households up to 200 percent of the Federal Poverty Line would:

- provide legal services to 400,000 New Yorkers each year.⁶¹

Passing Intro 1104, to expand the income eligibility up to 400 percent of the Federal Poverty Line, would:

- provide legal services to an additional 56,000 to 71,000 households facing eviction each year.⁶²

3. Expand the Power of CityFHEPS (New York City's Family Homelessness and Eviction Prevention Supplement) Voucher Program to Promote Housing Stability

As discussed above, hundreds of thousands of New Yorkers experience housing instability but cannot access rental assistance because of voucher shortages and low vacancy, eligibility requirements, and overcomplicated bureaucracy. In recognition of the growing housing crisis, in both New York City and beyond, President Biden recently announced plans to expand the availability and delivery of Housing Choice Vouchers.⁶³ However, the future of that proposal is uncertain, and New York City cannot afford to wait for federal action.

New York City already runs one of the largest local voucher programs in the country, CityFHEPS, which provides rental assistance to certain homeless and formerly homeless households, as well as certain households at risk of homelessness. But data show that only 5 percent of CityFHEPS voucher holders are able to find an apartment each month, contributing to the unacceptably high average family length of stay in shelter: 443 days.⁶⁴ Many households see their CityFHEPS voucher expire before they can use it for permanent housing, an issue for 80 percent of voucher holders, according to New York City Council Member Stephen Levin.⁶⁵ Furthermore, voucher values currently are too low: in the approximately 100 neighborhoods for which StreetEasy collects data, there was not a single neighborhood where the median asking rent matched the CityFHEPS maximum rent.⁶⁶

In May 2021, City Council speaker Corey Johnson reached an agreement with the City Council and advocates to pass Intro 146, which will peg CityFHEPS vouchers to Fair Market Rent (FMR), the same standard as Section 8 federal Housing Choice Vouchers, with regular adjustment along with federal payment standards moving forward to ensure that the voucher continues to allow families to move out of shelter and into permanent housing. The bill will also allow voucher holders to utilize vouchers beyond five years. The bill will increase voucher values for a mother with two children from \$1,580 per month to \$2,217 per month, as an example.

61. Oksana Mironova, "Right to Counsel and Stronger Rent Laws Helped Reduce Evictions in 2019," Community Service Society of New York, February 24, 2020, <https://www.cssny.org/news/entry/right-to-counsel-and-stronger-rent-laws-helped-reduce-evictions-in-2019>.

62. "Expand Right to Counsel," Right to Counsel Coalition, accessed June 10, 2021, https://www.righttocounselnyc.org/expand_rtc.

63. "FACT SHEET: President Biden's FY22 Discretionary Funding Request for HUD," U.S. Department of Housing and Urban Development, April 9, 2021, https://www.hud.gov/sites/dfiles/Main/documents/discretionary_request_fact_sheet.pdf.

64. Jeanmarie Evelly, "Shafted in State Budget, Homeless Advocates Push City to Increase Value of Rental Vouchers," City Limits, April 26, 2021, <https://citylimits.org/2021/04/26/shafted-in-state-budget-homeless-advocates-push-city-to-increase-value-of-rental-vouchers/>.

65. David Brand, "Council Will Hold Long-Awaited Vote to Raise Value of NYC Housing Vouchers," City Limits, May 25, 2021, <https://citylimits.org/2021/05/25/council-will-hold-long-awaited-vote-to-raise-value-of-nyc-housing-vouchers/>.

66. "Every Family Housed: A Blueprint to End Family Homelessness for the Next Mayor," Win, May 2021, https://winnyc.org/wp-content/uploads/2021/05/Every_Family_Housed_Final.pdf.

The impact of this legislation could be dramatic for CityFHEPS holders. Research by StreetEasy released in April 2021 found that record-high drops in rent and high inventory levels from COVID-19 have more than doubled the number of homes on the market that are deemed affordable for Section 8 voucher participants, but had little impact on CityFHEPS holders.⁶⁷ Of all apartments listed from July through December 2020, only 564 units would meet current CityFHEPS standards, whereas 71,934 would meet Section 8 standards.⁶⁸

Shelter provider and advocacy group Win estimates this change could help up to 2,700 additional families exit shelter in each of the first five years and save the city money in reduced shelter costs.⁶⁹ According to Win, if a typical homeless family finds an apartment even one month sooner because of the expanded options resulting from a higher paying voucher, the city would save \$6,114 in shelter costs.⁷⁰ That savings could pay for over sixteen months of the increase in the voucher amount for that family. Matching the value of CityFHEPS vouchers to federal vouchers also simplifies the experience for many voucher holders and landlords.

Some worried that raising the rent ceiling on CityFHEPS without equivalently raising FHEPS, the state program, to Fair Market Rent levels would make it harder for state FHEPS holders to find landlords who will accept their voucher—forcing households who hold FHEPS to enter shelter and become eligible for CityFHEPS before they can use a voucher on permanent housing. Fortunately, in June 2021, the New York State Senate and Assembly voted to raise the rent cap on FHEPS from 85 percent to 100 percent of HUD’s FMR; it now heads to the governor’s desk for signature.⁷¹

Passage of Intro 146 is a major win for low-income New Yorkers and housing advocates who have been pushing to adjust CityFHEPS to FMR for years. However, data from the NYU Furman Center shows that there are nearly 130,000 low-income households with children that are severely rent-burdened (pay more than 50 percent of income on rent) that are not currently served by voucher programs. For these households, which are home to more than 250,000 children, a common life event like an unexpected expense or medical need, or losing work hours or getting laid off, can put them on a path towards eviction and subsequent homelessness. Until an expansion of the federal program means that federal Housing Choice Vouchers are available to all New Yorkers who need them, the city must step in and transform CityFHEPS into a vehicle that fights housing instability and poverty for these families.

To do so, the next mayor should work closely with the City Council to:

- **Reform CityFHEPS requirements to better prevent homelessness.** CityFHEPS is currently available to households with gross income at or below 200 percent of the Federal Poverty Line who meet at least one of five highly specific criteria.⁷² The vast majority of voucher holders are currently in shelter or were

67. Nancy Wu, “Pandemic Rent Drops Double NYC’s Voucher-Accessible Housing,” StreetEasy, April 20, 2021, <https://streeteasy.com/blog/voucher-apartments-nyc-double-during-pandemic/>.

68. “Committee Report of the Human Services Division Regarding Proposed Introduction No. 146-C,” Council of the City of New York, May 26, 2021, <https://legistar.council.nyc.gov/View.ashx?M=F&ID=9432250&GUID=82295E3F-5310-49ED-A411-B849ABB697FC>.

69. David Brand, “Council Will Hold Long-Awaited Vote to Raise Value of NYC Housing Vouchers,” City Limits, May 25, 2021, <https://citylimits.org/2021/05/25/council-will-hold-long-awaited-vote-to-raise-value-of-nyc-housing-vouchers/>.

70. Letter to Speaker Corey Johnson, Win, January 6, 2020, <https://winnyc.org/wp-content/uploads/2021/03/Int-146-Support-Ltr-to-Speaker-1.2021.pdf>.

71. Senate Bill S. 6573, Assembly Bill A. 8009, “An act to amend the social services law, in relation to making vouchers available under the family homelessness and eviction prevention supplement program in social services districts with a population of five million or more,” <https://www.nysenate.gov/legislation/bills/2021/s6573>.

72. “CityFHEPS Frequently Asked Questions For Clients in the Community,” NYC Department of Social Services, September 18, 2019, <https://www1.nyc.gov/assets/hra/downloads/pdf/cityfheps-documents/dss-7r-e.pdf>.

previously living in shelter. Existing requirements mean that households who are at risk of eviction by virtue of their severe rent burden, but who have not received eviction filings or have not formerly been in shelter, are ineligible. The consequences of these restrictions are that New Yorkers must first become homeless—and wait three months to become eligible—before they can receive a CityFHEPS voucher. The next mayor and City Council should reform CityFHEPS requirements to extend eligibility to households who can demonstrate, through self-attestation or other measures, their risk of future formal or informal evictions, rather than requiring that households first experience homelessness or be in the midst of a formal eviction proceeding. As with Section 8 and current CityFHEPS requirements, households with income would be required to pay 30 percent of gross household income. The city should also create a working group of stakeholders, from households experiencing housing instability and homelessness to local nonprofits who are embedded in communities and other relevant partners, to develop eligibility documentation requirements that are feasible and that encourage, rather than discourage, households to seek support.

- **Dedicate significant additional funding for CityFHEPS, in addition to the increased budget passed through Intro 146, to serve at least 12,000 newly eligible households and prevent homelessness.** Simulations by the NYU Furman Center, in Table 1 below, project that this investment should be at least \$250 million each year to prevent thousands of rent-burdened, low-income households from becoming homeless. Table 1 shows that a \$250 million additional investment for newly eligible households at risk of eviction and homelessness would serve more than 35,623 additional New Yorkers, including 14,635 children, across 11,214 households.⁷³
- **Remove the requirement that voucher holders receive Public Assistance and improve bureaucratic processes.** By requiring households to be in receipt of Public Assistance to receive CityFHEPS, the city excludes undocumented and other immigrant New Yorkers and their family members from accessing the voucher.⁷⁴ The city should encourage all people eligible for Public Assistance to apply for that aid, which helps households meet their costs, but the city should not tie CityFHEPS eligibility to Public Assistance eligibility. Decoupling these programs will allow more New Yorkers, regardless of immigration status, to find stable housing. In addition, the city should focus on simplifying the steps required to put a voucher to use by shortening the amount of time a person is required to be in contact with a case worker before they are eligible; streamlining paperwork across agencies for applicants; collecting only the necessary information; modernizing the application process by making all materials available online and at key outreach points; and making permanent the shift away from required in-person meetings to phone calls and recorded briefings.

73. Simulations by NYU Furman Center provide a guide for scope and scale of impact at different investment levels (see Table 1). Given this report's focus on households with children, the projections reserve two-thirds of funding for vouchers for households with children. While this section is not recommending that the expanded eligibility exclusively serve households with children, there is a compelling data case for their prioritization. Children and adults in families make up roughly two-thirds of the city's shelter population, and NYU Furman Center data show that nearly 60 percent of people living in severely rent-burdened, low-income households live in households with children. By prioritizing these New Yorkers—along with other voucher program improvements, discussed above—the city could significantly advance racial equity and opportunity for the next generation, as more than 80 percent of children living in low-income, rent burdened households (not currently living in Section 8 housing or NYCHA) are Black, Latinx, or Asian. See “Facts about Homelessness,” Coalition for the Homeless, accessed June 10, 2021, <https://www.coalitionforthehomeless.org/facts-about-homelessness/>.

74. Public Assistance is defined as “public assistance benefits, including monthly grants and shelter allowances, issued under the Family Assistance program, pursuant to New York Social Services Law § 349 and/or the Safety Net Assistance program, pursuant to New York Social Services Law § 159, and regulations promulgated thereunder.” See The Rules of the City of New York, Chapter 10: City Fighting Homelessness and Eviction Prevention Supplement (CityFHEPS), § 10-01 (aa), <https://codelibrary.amlegal.com/codes/newyorkcity/latest/NYCRules/0-0-0-110021>.

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- **Avoid a benefits cliffs for voucher holders by including a phase out for households earning above 250 percent of FPL.** Currently, CityFHEPS voucher holders must recertify every year that they are initially eligible. At the point of renewal, household incomes must not exceed 250 percent of the Federal Poverty Line. However, Poverty Tracker data show that material hardships—such as not being able to afford food, housing, medical bills, utilities, or other expenses—persist even for households with incomes above 250 percent of FPL.⁷⁵ By conditioning recurring eligibility on remaining at or below 250 of FPL, households may be forced to choose between taking on a promotion, raise, or more work, or keeping their CityFHEPS benefits. This creates a cliff for households that cross the 250 percent line, because small income increases are often not enough to offset the loss of benefits such as CityFHEPS, leaving households net worse off than they were before their income increase, when they still had their benefits. Instead, CityFHEPS should adjust rent subsidies to phase out as households earn additional income above 250 percent of FPL.

The above reforms, coupled with Intro 146, will create the most powerful and comprehensive local rental assistance program in the country. CityFHEPS can become an engine of housing stability and economic mobility for tens of thousands of New Yorkers.

Expected Impact

Full implementation of Intro 146, according to Win, will:

- enable an additional 2,700 households to find housing each year.⁷⁶

But with an additional investment and the expansion and eligibility changes described above, the program could have a far greater impact: data show that only 1.3 percent of households who move into housing with rental subsidies return to shelter, compared to 21.6 percent of households who move without them.⁷⁷

Simulations by the NYU Furman Center provide a guide for the scope and scale of impact at different investment levels (see Table 1). An additional \$250 million invested in CityFHEPS vouchers for households in the community (those currently housed but at risk of eviction and homelessness in the future by virtue of their severe rent burden or other factors), would:

- improve housing security for more than 35,623 additional New Yorkers, including 14,635 children, across 11,214 households, with even more households served by greater investment in CityFHEPS vouchers.⁷⁸

74. Sophie Collyer et al., “The State of Poverty and Disadvantage in New York City,” Robin Hood Foundation and the Center for Poverty and Social Policy, Columbia University Population Research Center, February 2020, https://www.robinhood.org/wp-content/themes/robinhood/images/poverty-tracker/pdfs/POVERTY_TRACKER_REPORT19.pdf.

75. David Brand, “Council Will Hold Long-Awaited Vote to Raise Value of NYC Housing Vouchers,” City Limits, May 25, 2021, <https://citylimits.org/2021/05/25/council-will-hold-long-awaited-vote-to-raise-value-of-nyc-housing-vouchers/>.

76. Jessica Yager, “Testimony to the General Welfare Committee Preliminary Budget Hearing,” Win, March 17, 2021, <https://winnyc.org/wp-content/uploads/2021/03/Win-Testimony-for-3.17.21-GWC-Hrg1.pdf>.

77. Simulations by NYU Furman Center provide a guide for scope and scale of impact at different investment levels (see Table 1). Given this section’s focus on households with children, the projections reserve two-thirds of funding for vouchers for households with children. While this section is not recommending that the expanded eligibility exclusively serve households with children, there is a compelling data case for their prioritization. Children and adults in families make up roughly two-thirds of the city’s shelter population, and NYU Furman Center data show that nearly 60 percent of people living in severely rent-burdened, low-income households live in households with children. By prioritizing these New Yorkers—along with other voucher program improvements, discussed above—the city could significantly advance racial equity and opportunity for the next generation, as more than 80 percent of children living in low-income, rent burdened households (not currently living in Section 8 housing or NYCHA) are Black, Latinx, or Asian. See “Facts about Homelessness,” Coalition for the Homeless, accessed June 10, 2021, <https://www.coalitionforthehomeless.org/facts-about-homelessness/>.

78. The simulations define eligible households as renter households that have incomes less than 50 percent Area Median Income (AMI), are currently rent burdened (>30 percent), and are not already living in NYCHA or receiving Section 8 Vouchers. Fifty percent AMI corresponds approximately to 200 percent FPL (CityFHEPS’ current income limit for new voucher recipients). AMI levels adjust for the number of people in the household. Average “voucher amount” is calculated as the monthly cost to cover a gap between 30 percent of the households income and 100 percent FMR. This simulation assumes 100 percent of funding is dispersed to voucher holders and does not factor in program administration costs.

TABLE 1. IMPACT OF INCREASED INVESTMENTS IN CITYFHEPS⁷⁶

Funding for Vouchers for Households in Community	Number of Households Served	Number of People Served	Number of Children Served
\$250 million	11,214	35,623	14,635
\$300 million	13,457	42,747	17,562
\$350 million	15,700	49,872	20,490

Note: The simulations define eligible households as renter households that have incomes less than 50 percent Area Median Income (AMI), are currently rent burdened (>30 percent), and are not already living in NYCHA or receiving Section 8 Vouchers. Fifty percent AMI corresponds approximately to 200 percent FPL (CityFHEPS' current income limit for new voucher recipients). AMI levels adjust for the number of people in the household. Average "voucher amount" is calculated as the monthly cost to cover a gap between 30 percent of the households income and 100 percent FMR. This simulation assumes 100 percent of funding is dispersed to voucher holders and does not factor in program administration costs.

Source: NYU Furman Center analysis of New York City Housing and Vacancy Survey (NYCHVS) data. See Footnote 78.

4. Maximize the Impact of Housing Vouchers on Economic Mobility and Well-Being

The voucher reforms and policies discussed above will help thousands of low-income households in New York City secure permanent and affordable housing. However, on their own, vouchers will not necessarily enable housing to enhance opportunity for these families—unless the next mayor works to expand the ability of voucher holders to move across New York City, if they wish. The next mayor can ensure housing vouchers are an engine of economic mobility for thousands of New Yorkers by stamping out housing discrimination, most prominently “source of income” discrimination (refusing to rent to someone because some or all of their rent will be paid by a voucher program), and creating a housing navigator program housed in an expanded HomeBase program. In addition to these steps, the city should also follow a long-term strategy of investing in the largely low-income neighborhoods where vouchers are currently most commonly used, in order to foster economic, education, health, and infrastructure development there and improve opportunity.

- **Step up enforcement of source of income discrimination and pass fair chance for housing legislation.**

Sadly, far too many voucher holders are unable to find apartments—not only because of the administrative difficulties or low payment levels detailed above, but also because of prejudice against voucher holders and voucher programs. Though this “source of income” discrimination is illegal, it is still widespread and largely unpenalized: there are currently only nine staff members in the Human Resource Administration’s

73% of New Yorkers and 75% of low-income New Yorkers support better enforcing penalties for landlords who refuse to accept tenants because they receive rental assistance from the City.

(HRA) Fair Housing Litigation Unit and only three in the New York City Commission on Human Rights’s (CCHR) Source of Income and Early Intervention units.⁷⁹ In a city of millions of renters, even the hundreds of complaints that these units receive and respond to are just scratching the surface of discrimination that

79. David Brand, “NYC’s ‘Hollowed Out’ Enforcement Units Struggle to Keep Pace on Housing Discrimination Cases,” City Limits, June 1, 2021, <https://citylimits.org/2021/06/01/nycs-hollowed-out-enforcement-units-struggle-to-keep-pace-on-housing-discrimination-cases/>.

voucher holders face. The next mayor should increase funding to the CCHR and Fair Housing Litigation Unit, charged with enforcing New York's law against such discrimination, to increase education about tenants' fair housing rights, step up testing to identify landlords who discriminate against voucher holders, and increase penalties for those who do discriminate. (Proactive testing, not just reacting to complaints, is critical, as tenants should not be expected to have the knowledge to know if they have been discriminated against.) The adopted FY22 budget includes funding for ten new lawyers to work on source-of-income discrimination cases; the next administration should go further.⁸⁰ Furthermore, the mayor should work with the City Council to amend loopholes in the Human Rights Law that allow landlords to de facto discriminate against voucher holders by requiring landlords to consider rental subsidies as part of minimum income requirements and to bar landlords from rejecting tenants based on credit scores when a voucher covers 100 percent of the rent.

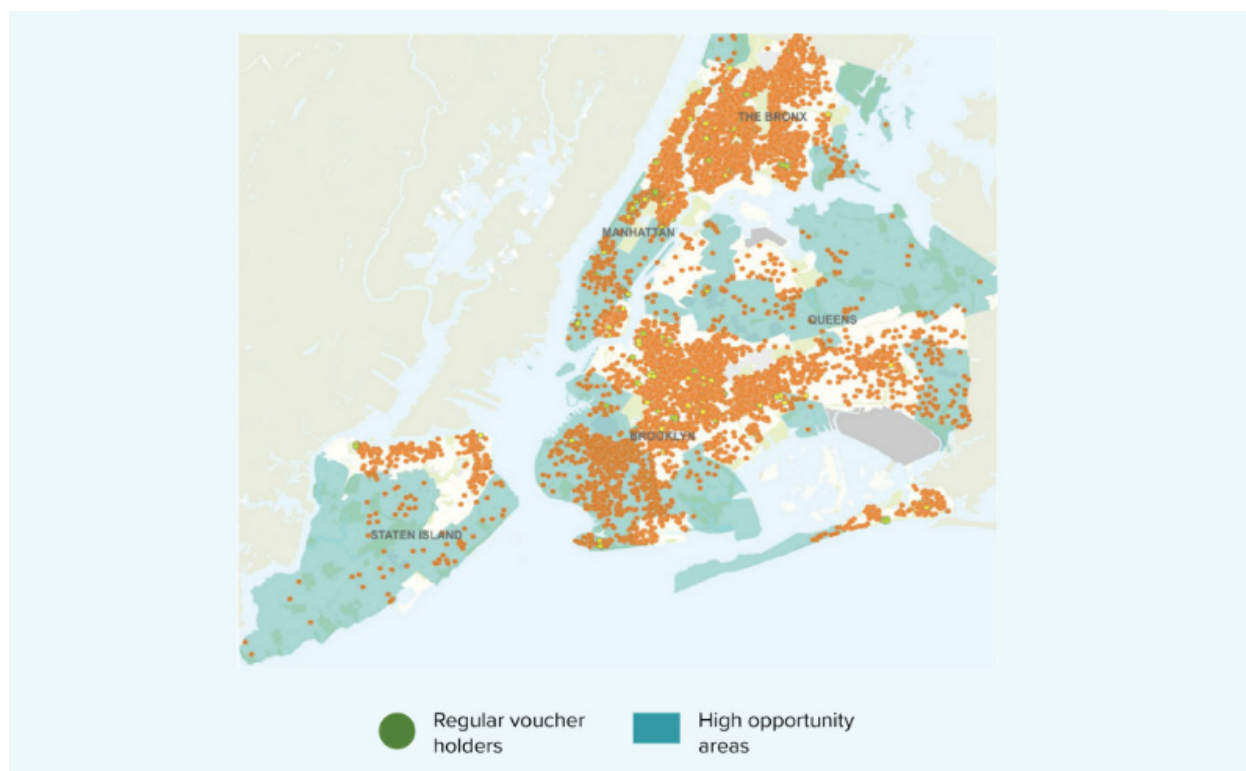
The next mayor should also work with the City Council to pass Intro 2047, which would prohibit housing discrimination in rentals, leases, subleases, or occupancy agreements in New York City, on the basis of arrest or conviction record, thereby enabling more New Yorkers to find permanent housing, with or without vouchers. Studies show that in New York, 53 percent of landlords won't allow applicants with a conviction to even view a property.⁸¹ Until passage of legislation such as that proposed by the Clean Slate Initiative,⁸² this discrimination will persist unabated and perpetuate the prison-to-shelter pipeline, destabilizing entire families.

80. Suzannah Cavanaugh, "Recovery budget throws homeowners a bone, skimps on tenant legal services," The Real Deal, July 1, 2021, <https://therealdeal.com/2021/07/01/recovery-budget-throws-homeowners-a-bone-skimps-on-tenant-legal-services/>.

81. Shereemer Chevannes, "Fair Chance for Housing: Ending discrimination in housing for people with conviction records," The Fortune Society, June 2020, <https://static1.squarespace.com/static/585ade937c5817d231b7de1/v/5ee90279e350db6a515efbe7/1592328831060/FC4H+Issue+Brief%5B1%5D.pdf>.

82. Michael "Zaki" Smith, "Testimony: New York State Must Pass Automatic Expungement 'Clean Slate' Legislation," Next100, May 6, 2021, <https://thenext100.org/testimony/20-new-york-state-must-pass-automatic-expungement-clean-slate-legislation/>

FIGURE 2. WHERE VOUCHER HOLDERS LIVE IN NEW YORK



Source: Source: NYC Dept. of Housing Preservation and Development (HPD) presentation at National Conference on Housing Mobility, Washington D.C., October 17, 2018, <https://prrac.org/mobility2018/day2panel2.pdf>.

- **Expand HomeBase to provide navigator services to help low-income households access high-opportunity neighborhoods and provide existing services to more New Yorkers.** Research shows that “high-opportunity neighborhoods” create greater economic mobility potential for children later in life. These areas correlate—often down to the level of census tract—with broader indicators of social mobility, including improved health and lower incarceration rates.⁸¹ In New York City, and across the country, households receiving Housing Choice Vouchers are currently disproportionately concentrated in neighborhoods with higher rates of poverty and lower opportunity potential, as defined by the Opportunity Insights research team at Harvard University.

86% of New Yorkers and 93% of low-income New Yorkers support creating a new City program that helps New Yorkers move to neighborhoods of their choice, with access to good schools, jobs, and transportation.

The next mayor can expand housing as an engine of opportunity by expanding the HomeBase program—which already provides help relocating, financial assistance, counseling, and education and job placement assistance—to also provide navigator services, making it more likely that users can move to high-opportunity neighborhoods, if they choose to do so.

83. “Neighborhoods Matter,” Opportunity Insights, <https://opportunityinsights.org/neighborhoods/>.

While the New York City Department of Housing Preservation and Development has provided navigation assistance through its Mobility Counseling Program, a better model for an expanded HomeBase navigator program would be the successful pilot program managed by King County Housing Authority, Seattle Housing Authority, and Opportunity Insights in 2018 and 2019. (The Housing Choice program, launched as an eighteen-month pilot in July 2018, served only forty-five families for about fifteen moves and was limited to participants in the Family Self-Sufficiency program.⁸⁴) The Seattle pilot program, which was built on three key program elements—search assistance for families, landlord engagement, and short-term financial assistance—increased the number of families who moved to high-opportunity neighborhoods by 38 percentage points (53 percent in the treatment group, compared to 15.1 percent in the control). The search assistance, which was provided through local nonprofit groups, included tailored information beyond the standard Seattle and King County Housing Authorities’ materials about high-opportunity neighborhoods; help preparing application documents, addressing potential issues with credit history; and help identifying and connecting with available units and landlords in opportunity areas.⁸⁵

On the landlord side, the Seattle pilot program maintained relationships with landlords in high-opportunity neighborhoods, expedited the leasing process for voucher holders, and maintained an insurance fund for property owners above what standard security deposits would cover. Lastly, the program provided financial assistance to tenants to cover one-time expenses such as application fees and move-in costs. (Note that, in New York City, even for households outside of the navigator program, the next administration should work to provide services such as application and move-in expenses and aftercare to all voucher holders.) Sociological research also shows that providing these extra services to landlords can also help improve their amenability to voucher tenants and decrease the likelihood of source-of-income discrimination.⁸⁶

Separate “moving to opportunity” studies estimate that, on average, a child in a low-income family moving from a below-average to an above-average neighborhood in terms of upward mobility increases their lifetime earnings by \$200,000, and decreases their likelihood of being incarcerated or having a teen birth.⁸⁷

This navigator program should be closely monitored to ensure holistic success for its participants. The Seattle pilot program did not require families to move to new neighborhoods in order to receive their voucher, and in setting up the New York program, the next administration must be careful to ensure that moving to a high-opportunity neighborhood is a choice and not a product of coercion. In tracking the success of the program, the city should track voucher holders’ choice of neighborhoods to move to and their satisfaction with their new neighborhood after a year if they do move. The navigator program should also bear in mind that landlords may require more significant incentives to participate in the program, that the program must be paired with “process” reforms—similar to those proposed in the prior section on voucher deliverability—to reduce friction for willing landlords, and that increasing housing supply in high-

84. HPD presentation to the 7th National Conference on Housing Mobility, October 17, 2018, <https://prrac.org/mobility2018/day2panel2.pdf>.

85. Peter Bergman, Raj Chetty, Stefanie DeLuca, Nathaniel Hendren, Lawrence Katz, and Christopher Palmer, “Creating Moves to Opportunity: Experimental Evidence on Barriers to Neighborhood Choice,” National Bureau of Economic Research, August 2019, <https://opportunityinsights.org/paper/cmto/>.

86. Philip Garboden, Eva Rosen, Meredith Greif, Stefanie DeLuca, and Kathryn Edin, “Urban Landlords and the Housing Choice Voucher Program,” Prepared for U.S. Department of Housing and Urban Development, May 2018, <https://www.huduser.gov/portal/sites/default/files/pdf/Urban-Landlords-HCV-Program.pdf>.

87. Raj Chetty, John Friedman, Nathaniel Hendren, Maggie R. Jones, and Sonya R. Porter, “The Opportunity Atlas: Mapping the Childhood Roots of Social Mobility,” National Bureau of Economic Research, October 2018, <https://opportunityinsights.org/paper/the-opportunity-atlas/>.

opportunity neighborhoods is a critical condition for success.

Given the disproportionate share of New Yorkers who are homeless due to domestic violence, HomeBase's new navigators should also be trained to offer support for survivors of domestic violence and information about where New Yorkers exiting shelter can access trauma-focused counseling, job training, and other services.⁸⁸

A key component of a HomeBase expansion to include a navigator program should also include the expansion of in-community access points for housing assistance (this makes sense not just for those in a navigator program, but also for all voucher holders and New Yorkers in need of rental assistance). To prevent homelessness, the city must more effectively provide assistance to people before they become homeless. Thankfully, HomeBase is already a proven mechanism for such outreach points. Through the HomeBase program, the city partners with community-based organizations to provide homelessness prevention services and resources; the next mayor should expand funding and HomeBase sites so that these services can be paired with mobility counseling without detracting from HomeBase's existing mission. The next mayor should consider including new nonprofit service providers in this expansion, including organizations that focus on immigrant communities.

In addition, as President Biden works to expand access to Housing Choice Vouchers during his first term, the city's investment in its own navigator program would benefit those voucher recipients as well.

Expected Impact

Combating housing discrimination and expanding housing navigator programs as proposed above would:

- uncover discrimination proportionate to increased investigatory capacity;⁸⁹
prevent thousands of New Yorkers with criminal records from becoming homeless.
- help thousands of newly voucher-holding households move to high-opportunity neighborhoods.⁹⁰

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88. "Beyond Shelter: What Do Domestic Violence Survivors Need?," Safe Horizon, https://www.safehorizon.org/wp-content/uploads/2018/10/5-Recommendations-Better-Support-Domestic-Violence-Survivors_Safe-Horizon-Lang-Report-2018_FULL.pdf.

89. Matthew Haag, "'She Wants Well-Qualified People': 88 Landlords Accused of Housing Bias," New York Times, March 15, 2021, <https://www.nytimes.com/2021/03/15/nyregion/real-estate-lawsuit-section-8-discrimination.html>.

90. If the success rate of the Seattle pilot were applied to the projected 11,214 households that would be served by a \$250 million investment in CityFHEPS, as described above, the number of households benefiting would be 5,943.



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